

Article - Alcoholic Beverages

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§5–303.

(a) (1) In this section the following words have the meanings indicated.

(2) “Keg” means a container of beer with a capacity of at least 4 gallons, which is designed to dispense beer directly from the container.

(3) “Keg license holder” means a person who holds a license that authorizes the person to sell beer in kegs at retail.

(b) A keg license holder may not sell or otherwise transfer, or offer to sell or otherwise transfer, the contents of a keg for off–premises consumption unless:

(1) the keg license holder provides to the purchaser a keg registration form approved and distributed by the Comptroller that is designed to be affixed to the keg and that indicates the name and address of the licensed establishment and a registration number;

(2) except as provided in § 26–103 of this article, the purchaser provides identification and completes and signs a registration form with the following information:

(i) the purchaser’s name and address as shown on the identification produced; and

(ii) the date of purchase; and

(3) the keg license holder affixes the completed registration form to the keg and retains a copy of the form for 30 days on the licensed premises.

(c) (1) On return of a registered keg from the purchaser, the keg license holder shall remove or obliterate the keg registration form affixed to the keg and note the removal and the date of the removal on the copy of the keg registration form retained by the keg license holder at the licensed premises.

(2) (i) If a keg is made of disposable packaging that does not have to be returned to the keg license holder, the keg license holder shall indicate on the keg registration form that the keg is disposable.

(ii) Disposal of empty kegs made of disposable packaging does not constitute obliteration of the keg registration form.

(d) Each local licensing board shall adopt regulations to carry out this section.

(e) A keg license holder may charge a keg registration fee to a purchaser.

(f) (1) A keg license holder who violates this section is subject to a fine not exceeding \$100 or a suspension or revocation of the license, or both a fine and suspension or revocation.

(2) The existence of a completed registration form signed by the purchaser creates a presumption that the keg license holder has complied with the requirements of this section.

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